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and critically chosen monographs are not the least valuable and interesting part of the work. Two chapters of especial interest are on "Christian Relations with Heathen and Moslems" in the Middle Ages and "Rival Commercial Empires" in more modern times.

But this constant generalization and comparison costs its price in the shape of occasional strained analogies and artificial interpretations. If we declared the author's estimate of the influence of religion upon trade in the Middle Ages an exaggerated one, it might be considered simply a difference of opinion, could we not convict him out of his own mouth. He says that "Christianity reconstituted the economic life of the old world," that "Christendom was one organized society for all the purposes of economic life." "Christendom was extraordinarily homogeneous." Yet, when he comes to describe trade between Christian merchants and the Mohammedan inhabitants of Morocco, he says, "It is curious to observe that there is little difference between the provisions laid down and those which were necessary for the prosecution of industry made within Christendom." In other words, it was Christianity which gave medieval trade its peculiar shape, but it had just the same shape under Mohammedanism. A safe inference would seem to be that the major premise is incorrect and that trade and religion had very little to do with one another. Similarly the contrasts of policy of the successive colonizing nations, Portugal, Holland, Spain, France, England, seem a little too symmetrical for real life, and lead one to wonder what single guiding spirit is left to characterize the latest of all colonizing nations and the one in which we have the most interest. But we cannot have broad results without some bold generalizations, and immersed as most students are for the greater part of their time in the study of details, they may well accept thankfully and without cavil the thoughtful, suggestive and original book which Dr. Cunningham has given them.

E. P. CHEYNEY.

A Study of the Court of Star Chamber, largely based on Manuscripts in the British Museum and the Public Record Office. [Doctoral dissertation, University of Chicago.] By CORA L. SCOTFIELD. (Chicago: The University Press. 1900. Pp. xxx, 82.)

THIS monograph is a helpful contribution to the history of English institutions and it is decidedly an encouraging product of American university training. Few subjects are more interesting or more complex than the evolution of the various courts and councils from their germ in the original *magnum concilium* or great *curia regis* of the early Norman times. Among the many hard questions connected with this development, perhaps the hardest is the problem of the origin and primitive character of the so-called Star Chamber court. The author has appealed to the existing sources; and if these have not enabled her in some vital points to reach positive demonstration, she has at any rate led us very close to the truth. Aside from the printed books, comprising state

papers, historical collections, and the ancient legal treatises, such as those of Lambard, Hudson, and Crompton, the mass of manuscript material consulted is impressive, both in its extent and in its character. Yet here the scholar is confronted by the ever recurring misfortune—the loss of early records. “In fact, the most valuable records of the Court are no longer to be found.” On August 19, 1608, “the Lord Chancellor delivered to Sir Francis Bacon, then become clerk of the Star Chamber,” six books of the “Kallender of Orders,” extending from the first year of Henry VII. to the thirty-second year of Elizabeth; but their “ultimate fate is unknown. A committee of the House of Lords reported in 1719 that the last notice of the decrees and orders ‘that could be got was that they were in St. Bartholomew’s Close, London.’ No efforts have succeeded in bringing them to light.” The author’s treatment of the bibliography of her subject is commendable.

In the “Introduction” the rise of the Privy Council, in its uncertain relation to the surviving Ordinary Council, is traced; and the ineffectual attempts to curb its jurisdiction are considered. At the accession of Henry VII., the King’s Council “in the usual meaning of the term” was the Privy Council; and it had a “large and but partially defined jurisdiction, the justification of which was found in part in the inadequacy of the common law and of the rules of the Chancery, and in part in the inability of the courts of the kingdom to see that justice was done when might and right were ranged on opposite sides.”

The body of the monograph is divided into four sections, for which it would have been better had appropriate headings been given. The first section is the most important, dealing mainly with the dual problem of the composition and jurisdiction of the court as affected by the famous statute of 3 Hen. VII., c. 1. After a careful and minute examination of the source-materials the conclusion is reached that in the reign of Henry VIII., as also in that of Henry VII., neither the membership nor the jurisdiction of the court conformed to the statute of 3 Hen. VII., c. 1, as usually interpreted. Moreover, the King’s Council is found performing the same functions as the court, whether sitting in the “Camera Stellata” or elsewhere; and, conversely, the powers of the Star Chamber appear to be equivalent, even in state matters, to those of the Council itself. The Star Chamber in fact claimed its vast jurisdiction on the ground that it was the King’s Council. The court and its partisans were therefore historically justified in asserting that its constitution and power were older than Henry’s statute. “The justice of the Council’s claim to such an enormous authority might rightly be questioned, but not the Star Chamber’s right to exercise that authority when conceded.” The purpose of Henry’s statute was probably fourfold. In the first place, a “warning was given to offenders of every degree that another and very vigorous attempt would be made to crush out certain crying evils.” In the second place, “the statute definitely recognized a somewhat summary form of proceeding, which, in part at least, was not new to the Council.” In the third place, “without prohibiting any judicial au-

thority then claimed by the Council, it again outlined the jurisdiction of the Council in a liberal and not too definite manner, specially vested that body with a right to punish certain crimes which were particularly rife at the time, and, above all, placed its jurisdiction upon a lawful and permanent basis." In the fourth place, its purpose "was probably to name a choice of judges and to give to a small committee, as did other statutes to other committees, the power of acting for the whole Council in certain matters." The two chief justices were members of the Star Chamber; but their right to sit in it "did not arise, as did the right of the other judges, from the fact that they were privy councillors." They owed their position "to stat. 3 Hen. VII., c. 1, and in this fact is a partial justification of the current opinion that the court owed its foundation to that statute." The vital point of differentiation, therefore, between the two bodies is the presence of the two chief justices in the Star Chamber.

In the other three sections, the functions, the officers and organization, and the procedure of the court are respectively considered. These cannot be here analyzed. It must suffice to say that this excellent monograph enables us to appreciate as never before the vast significance of the Star Chamber in provoking the struggle for constitutional liberty during the Tudor and Stuart reigns.

GEORGE ELLIOTT HOWARD.

Henry Barrow, Separatist, (1550?-1593) and the Exiled Church of Amsterdam, (1593-1622). By FRED J. POWICKE, Ph.D. (London: James Clarke and Co. 1900. Pp. xlviii, 364.)

THE latest illustration of the renewed interest in Congregational origins recently manifested in England is this handsomely printed volume, in which a scholarly English Congregational minister sets forth the life of the most eminent of the martyrs for Congregational principles and discusses the fate of the exiled church of which he was a leader while it was still on English soil. Barrowe must always be reckoned among the most interesting of the early Separatists. His excellent social position, his dramatic conversion, his long imprisonment, his passionate responses to his judges and his fiery championship of the views for which he bravely died give to his story unfading picturesqueness. If he contributed little to the theoretic development of Separatist principles that Robert Browne had not already anticipated, his is a much more satisfactory career to contemplate than that of the ill-balanced and ultimately apostate earlier reformer. Dr. Powicke has felt the force of these considerations perhaps over-much, and is inclined to the conclusion that Barrowe, "rather than Robert Browne and John Robinson, deserves to be named emphatically the founder of English Congregationalism." But the author recognizes that "such a judgment may be questioned." Certainly many would dissent from it.

Dr. Powicke has investigated anew such facts as are now accessible from which a sketch of Barrowe's life and work may be drawn. If he has